



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101
DEC 04 2002

Edward Kosola
Realty/Environmental Officer
Federal Highway Administration
100 Centennial Mall North
Lincoln, Nebraska 68508

Dear Mr. Kosola:

RE: Comments on the Draft Environmental Impact Statement (DEIS) for US-81 Highway, Yankton Bridge Replacement, Missouri River Crossing between the City of Yankton, Yankton County, South Dakota and Cedar County, Nebraska

The Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) for the replacement of the Yankton Bridge, that crosses the Missouri River between Yankton, South Dakota and South Yankton, Nebraska. Our review is provided pursuant to the National Environmental Policy Act (NEPA) 42 U.S.C. 4231, Council on Environmental Quality (CEQ) regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act (CAA). The DEIS was assigned a CEQ number of 020436.

Both EPA Regions 7 and 8 have been participating in various phases of this project since fall of 1996. Region 7 has been designated as the EPA lead region for the project and for this review. Based upon our review of this project and its DEIS, we have assigned a rating of "LO" or "Lack of Objections." A copy of EPA's rating system is attached for your reference. The document is clear, concise, and conveys a high degree of coordination. The only environmental aspect that EPA would like to clarify is the issue of lead paint. While it is true that the EPA does not require the removal of lead based paint from the structure, removal of lead based paint for any purpose (i.e. to provide access for torch demolition, or rivet removal) may generate wastes that could be regulated under the Resource Conservation and Recovery Act (RCRA). The project proponents should assess the applicability of RCRA to any solid wastes generated from structure demolition. If any questions arise concerning the applicability of RCRA to this project, the EPA would recommend contacting Mr. Morgan R. Leibrant of the Nebraska Department of Environmental Quality at (402) 471-4217.

We appreciate the opportunity to review this project and its DEIS. If you have any questions on our overall comments, please contact me at (913) 551-7148 or at cothern.joe@epa.gov.

Sincerely,

NICHOLAS P. COCHER
FOR

Joseph E. Cothorn
NEPA Team Leader
Environmental Services Division

Enclosure

